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10/691,885

10/23/2003

Timothy P. McKee

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08/08/2006

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INTELLECTUAL PROPERTY DEPARTMENT  
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EXAMINER

PESIN, BORIS M

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/691,885

Applicant(s)

MCKEE ET AL.

Examiner

Boris Pesin

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This communication is responsive to the amendment filed 5/15/2006.

Claims 1-44 are pending in this application. Claims 1, 11, 20, 21, 29, 34, and 40 are independent claims. In the amendment filed 5/15/2006, Claims 1, 11, 20, 21, 29, 34, and 40 were amended. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hahn et al. (US 5751287) in view of Billmers (US 6226630)

In regards to claim 1, Hahn teaches a computer system for presenting stored data comprising: a data store including a plurality of items (Figure 4), wherein at least a portion of said items include one or more field entries (Figure 4, Elements 460, 480 and 500); and an explorer which displays said selected items according to an explorer display schema associated with said explorer (Figure 10, Element 1080).

Hahn does not specifically teach an explorer configured to utilize a query to select items having one or more desired field entries from said data store wherein said query is stored as part of said explorer and defines said one or more desired field entries, and wherein said explorer display schema is stored as part of said explorer and includes one or more visual elements selected for display with items having said one or more desired field entries. Billmers teaches an explorer configured to utilize a query to select items having one or more desired field entries from said data store wherein said query is stored as part of said explorer and defines said one or more desired field entries, and wherein said explorer display schema is stored as part of said explorer and includes one or more visual elements selected for display with items having said one or more desired field entries (*"The system includes a plurality of message folders, such that received messages are organized based on a predetermined set of message characteristics. The system stores a search query within each folder. When the user requests to view the contents of a given folder, the search query for that folder is passed to a search engine. The search engine generates search results based on the search query and a search of the received*

*message index. Messages are thus associated with the given folder, as defined by the search query, and appear to the user to be contained within that folder.*" Abstract and further see Figure 9 the folder icons). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Billmers and utilize a query to select items having one or more desired filed entries from said data store wherein said query is stored as part of said explorer and defines said one or more desired field entries with the motivation to provide the user with a less cumbersome and less time consuming method of organizing data (See Billmers Column 1, Lines 59).

In regards to claim 2, Hahn teaches a computer system of claim 1, wherein said explorer display schema includes one or more decorative elements presented with said selected items (Figure 10, *the tab layout*).

In regards to claim 3, Hahn teaches a computer system of claim 1, wherein said explorer display schema includes one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said selected items (Figure 10, *the tab layout*).

In regards to claim 4, Hahn teaches a computer system of claim 3, wherein one or more of the shell view schemas includes one or more display aspects appropriate for displaying said subset of selected items to the user (Figure 10, Element 1080).

In regards to claim 5, Hahn teaches a computer system of claim 1, wherein said explorer utilizes a shell display schema associated with a shell browser to display one or more of said selected item (Figure 10, Elements 1080, and 1090).

In regards to claim 6, Hahn teaches a computer system of claim 1, wherein said explorer utilizes one or more item display schemas associated with a shell browser to provide one or more display elements included in the display of one or more selected items (Figure 10, Element 1080).

In regards to claim 7, Hahn teaches a computer system of claim 1, wherein said explorer display schema includes verbs related to said selected items (Figure 7A, Element 780).

In regards to claim 8, Hahn teaches a computer system of claim 7, wherein said verbs are associated with applications capable of performing said verbs with respect to one or more of said selected items (Figure 7A, Element 780).

In regards to claim 9, Hahn teaches a computer system of claim 1, wherein said explorer display schema includes one or more data queries which are associated with the selected items (Figure 20B).

In regards to claim 10, Hahn teaches a computer system of claim 9, wherein said explorer is configured to display results of one or more of said data queries (Figure 20B).

In regards to claim 11, Hahn teaches a computer-implemented method for presenting one or more items in a data store to a user, the method comprising: selecting a desired field entry corresponding to a field entry associated with at least one item in the data store, wherein at least a portion of the items in the data store include one or more field entries (Figure 10, Element 1110); defining an explorer display schema

(Figure 10, *the tab layout*); and displaying one or more of said selected items to the user according to said explorer display schema (Figure 10, Element 1080).

Hahn does not specifically teach defining an explorer display schema that includes one or more visual elements selected for display with items having said desired field entry, storing a query for identifying items in the data store having said desired field entry; and querying said data store by utilizing said query to select one or more items including said desired field entry. Billmers teaches defining an explorer display schema that includes one or more visual elements selected for display with items having said desired field entry, storing a query for identifying items in the data store having said desired field entry; and querying said data store by utilizing said query to select one or more items including said desired field entry (*"The system includes a plurality of message folders, such that received messages are organized based on a predetermined set of message characteristics. The system stores a search query within each folder. When the user requests to view the contents of a given folder, the search query for that folder is passed to a search engine. The search engine generates search results based on the search query and a search of the received message index. Messages are thus associated with the given folder, as defined by the search query, and appear to the user to be contained within that folder."* Abstract and further see Figure 9 the folder icons). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Billmers and include a method for storing a query for identifying items in the data store having said desired field entry; and querying said data store by utilizing said

query to select one or more items including said desired field entry with the motivation to provide the user with a less cumbersome and less time consuming method of organizing data (See Billmers Column 1, Lines 59).

In regards to claim 12, Hahn teaches a method of claim 11, wherein defining said explorer display schema includes defining one or more decorative elements to be included in a display according to said explorer display schema (Figure 10, *the tab layout*).

In regards to claim 13, Hahn teaches a method of claim 11, wherein defining said explorer display schema includes defining one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said selected items (Figure 10, *the tab layout*).

In regards to claim 14, Hahn teaches a method of claim 11, wherein displaying one or more of said items includes utilizing a shell display schema associated with a shell browser to display one or more selected items (Figure 10, Element 1080).

In regards to claim 15, Hahn teaches a method of claim 11, wherein displaying one of the said selected items includes utilizing an item display schema associated with a shell browser to provide one or more display attributes included in the display of one or more selected items (Figure 10, *the tab layout*).

In regards to claim 16, Hahn teaches a method of claim 11, wherein displaying said selected items includes displaying verbs which are related to said selected items (Figure 7A, Element 780).



In regards to claim 17, Hahn teaches a method of claim 16, wherein said verbs are associated with applications capable of performing said verbs with respect to one or more of said set of selected items (Figure 7A, Element 780).

In regards to claim 18, Hahn teaches a method of claim 11, wherein displaying said selected items includes providing one or more data queries which are associated with said selected items (Figure 20B).

In regards to claim 19, Hahn teaches a method of claim 18, wherein said explorer is configured to display results of one or more of said data queries (Figure 20B).

In regards to claim 20, Hahn teaches an explorer for presenting a plurality of items in a data store to a user comprising: a query entry selection component for selecting a desired field entry corresponding to a field entry associated with at least one of said items in the data store, wherein at least a portion of the items in the data store include one or more field entries (Figure 10, Element 1110); a search engine which is configured to access said data store to select one or more items having the desired field entry by utilizing said query(Figure 10); and a display presentation component which is configured to present one or more of said selected items to a user according to an explorer display schema (Figure 10).

Hahn does not specifically teach a query storage component configured to store a query associated with said explorer; and a display presentation that includes one or more visual elements selected for display with items having said desired field entry. Billmers teaches a query storage component configured to store a query associated with said explorer; and a display presentation that includes one or more visual

elements selected for display with items having said desired field entry (*"The system includes a plurality of message folders, such that received messages are organized based on a predetermined set of message characteristics. The system stores a search query within each folder. When the user requests to view the contents of a given folder, the search query for that folder is passed to a search engine. The search engine generates search results based on the search query and a search of the received message index. Messages are thus associated with the given folder, as defined by the search query, and appear to the user to be contained within that folder."* Abstract and further see Figure 9 the folder icons). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Billmers and include a query storage component configured to store a query associated with an explorer; and a display presentation that includes one or more visual elements selected for display with items having said desired field entry with the motivation to provide the user with a less cumbersome and less time consuming method of organizing data (See Billmers Column 1, Lines 59).

In regards to claim 21, Hahn teaches an application program executable by a computer for presenting one or more items from a data store to a user, said application comprising: an item selection module which is configured to utilize a query to select one or more items from the data store having a desired field entry, and a shell interaction module which is configured to interact with a shell browser to present one or more of said selected items to a user according to an explorer display schema (Figure 10).

Hahn does not specifically teach a query storage component configured to store a query that indicates a desired field entry corresponding to a field entry associated with at least one of said items in the data store, wherein at least a portion of the items in the data store include one or more filed entries and a shell interaction module which includes one or more visual elements selected for display with items having said desired filed entries. Billmers teaches a query storage component configured to store a query that indicates a desired field entry corresponding to a field entry associated with at least one of said items in the data store, wherein at least a portion of the items in the data store include one or more filed entries and a shell interaction module which includes one or more visual elements selected for display with items having said desired filed entries (*"The system includes a plurality of message folders, such that received messages are organized based on a predetermined set of message characteristics. The system stores a search query within each folder. When the user requests to view the contents of a given folder, the search query for that folder is passed to a search engine. The search engine generates search results based on the search query and a search of the received message index. Messages are thus associated with the given folder, as defined by the search query, and appear to the user to be contained within that folder."* Abstract and further see Figure 9 the folder icons). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Billmers and include a query storage component configured to store a query that indicates a desired field entry corresponding to a field entry associated with at least one of said items in the data

store, wherein at least a portion of the items in the data store include one or more filed entries and a shell interaction module which includes one or more visual elements selected for display with items having said desired filed entries with the motivation to provide the user with a less cumbersome and less time consuming method of organizing data (See Billmers Column 1, Lines 59).

In regards to claim 22, Hahn teaches an application of claim 21, wherein said explorer display schema includes one or more decorative elements to be included in a display according to said explorer display schema (Figure 10, *the tab layout*).

In regards to claim 23, Hahn teaches an application of claim 21, wherein said shell interaction module is configured to provide one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of selected items (Figure 10, Element 1080).

In regards to claim 24, Hahn teaches an application of claim 21, wherein said shell interaction module is configured to utilize one or more shell display schemas associated with a shell browser to display one or more selected items (Figure 10).

In regards to claim 25, Hahn teaches an application of claim 21, wherein said shell interaction module is configured to utilize an item display schema associated with a shell browser to provide one or more display attributes included in the display of one or more selected items (Figure 10, *the tab layout*).

In regards to claim 26, Hahn teaches an application of claim 21, wherein said explorer display schema includes verbs which are related to said selected items (Figure 7A, Element 780).

In regards to claim 27, Hahn teaches an application of claim 26, wherein said verbs are associated with applications capable of performing said verbs with respect to one or more of said selected items (Figure 7A, Element 780).

In regards to claim 28, Hahn teaches an application of claim 21, wherein said explorer display schema includes one or more data queries which are associated with the selected items (Figure 20B).

Claim 29 is similar in scope to claim 1; therefore it is rejected under similar rationale.

In regards to claim 30, Hahn teaches a method of claim 29, wherein said explorer display schema includes one or more decorative elements, one or more verbs associated with said selected items and/or one or more data queries associated with said selected items (Figure 20B).

In regards to claim 31, Hahn teaches a method of claim 29, wherein interacting with said shell browser includes providing one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said selected items (Figure 10, Element 1080).

In regards to claim 32, Hahn teaches a method of claim 29, wherein interacting with said shell browser includes utilizing one or more shell display schemas associated with said shell browser to display one or more selected items (Figure 10).

In regards to claim 33, Hahn teaches a method of claim 29, wherein interacting with said shell browser includes utilizing an item display schema associated with said

shell browser to provide one or more display attributes included in the display of one or more selected items (Figure 10, *the tab layout*).

In regards to claim 34, Hahn teaches a computerized method for establishing an explorer for presenting to a user items in a data store, said method comprising: selecting a desired field entry corresponding to a field entry associated with at least one of said items in the data store, wherein at least a portion of said items are associated with one or more field entries (Figure 10, Element 1110); and defining explorer attributes associated with said explorer (Figure 10, *the tab layout*).

Hahn does not teach a method wherein the explorer attributes include one or more visual elements selected for display with items having said desired field entry; storing along with said explorer attributes, a query for identifying items in the data store having said desired field entry; identifying one or more items having said desired field entry by searching said data store with said query; and presenting at least a portion of said one or more items to the user with a display schema including said one or more visual elements. Billmers teaches a method wherein the explorer attributes include one or more visual elements selected for display with items having said desired field entry; storing along with said explorer attributes, a query for identifying items in the data store having said desired field entry; identifying one or more items having said desired field entry by searching said data store with said query; and presenting at least a portion of said one or more items to the user with a display schema including said one or more visual elements (*"The system includes a plurality of message folders, such that received messages are organized based on a predetermined set of message*

*characteristics. The system stores a search query within each folder. When the user requests to view the contents of a given folder, the search query for that folder is passed to a search engine. The search engine generates search results based on the search query and a search of the received message index. Messages are thus associated with the given folder, as defined by the search query, and appear to the user to be contained within that folder."* Abstract and further see Figure 9 the folder icons). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Billmers and include a method wherein the explorer attributes include one or more visual elements selected for display with items having said desired field entry; storing along with said explorer attributes, a query for identifying items in the data store having said desired field entry; identifying one or more items having said desired field entry by searching said data store with said query; and presenting at least a portion of said one or more items to the user with a display schema including said one or more visual elements with the motivation to provide the user with a less cumbersome and less time consuming method of organizing data (See Billmers Column 1, Lines 59).

In regards to claim 35, Hahn teaches method of claim 34, wherein said desired field entry is associated with an item property desired for each item displayed in said explorer (Figure 10).

In regards to claim 36, Hahn teaches a method of claim 34, wherein said explorer attributes include decorative elements, one or more verbs associated with said

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presented items, and/or one or more data queries associated with said presented items (Figure 20B).

In regards to claim 37, Hahn teaches a method of claim 34, wherein said explorer attributes include one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said presented items (Figure 10, Element 1080).

In regards to claim 38, Hahn teaches a method of claim 34, wherein said display schema includes one or more shell display schemas associated with a shell browser to display one or more presented items (Figure 10).

In regards to claim 39, Hahn teaches a method of claim 34, wherein said display schema includes utilizing an item display schema associated with a shell browser to provide one or more display attributes included in the display of one or more presented items (Figure 10, *the tab layout*).

Claim 40 is similar in scope to claim 34; therefore it is rejected under similar rationale.

In regards to claim 41, Hahn teaches a method of claim 40, wherein said explorer attributes include decorative elements, one or more verbs associated with said presented items, and/or one or more data queries associated with said presented items (Figure 20B).

In regards to claim 42, Hahn teaches a method of claim 40, wherein said explorer attributes include one or more shell view schemas, wherein one of said shell view



schemas is utilized to display a subset of said presented items (Figure 10, Element 1080).

In regards to claim 43, Hahn teaches a method of claim 40, wherein interacting with said shell browser includes utilizing a shell display schema provided by said shell browser to display one or more presented item to the user (Figure 10, Elements 1110, and 1080).

In regards to claim 44, Hahn teaches a method of claim 40, wherein interacting with said shell browser includes utilizing one or more display attributes from an item display schema provided by said shell browser to display one or more presented item to the user (Figure 10, *the tab layout*).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP

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